

LAW OFFICE OF
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October 5, 2021

Federal Bureau of Investigation
Criminal Justice Information Services Division
NICS Section
NICS Functional Support Unit
Post Office Box 4278
Clarksburg, West Virginia 26302-4278

Re: Ralph Mark Newton
DOB: [REDACTED]/1952
NTN: 1012XDBXV
DEMAND FOR CORRECTION – FIREARM DENIAL

To Whom It May Concern:

This office represents Ralph Mark Newton. We are in receipt of your letters dated December 5, 2019 and July 19, 2021 wherein you state that he is ineligible to own or purchase a firearm. Please consider this letter as an appeal and demand to declare Mr. Newton eligible to own and purchase firearms and ammunition.

In your letter dated December 5, 2019, the Department states, erroneously, that Mr. Newton was of the class of persons convicted of an offense punishable by a term exceeding one year (i.e. a felony). This statement and denial in 2019 was spurious and without basis. This is supported by Mr. Newton's criminal history which does not contain any entries for a felony offense. In the Department's July 19, 2021 letter, the Department acknowledges that, in fact, Mr. Newton had not been convicted of a felony. The Department states in relevant part "Based on further review and investigation, the original prohibitive information has been resolved." (See US DOJ FBI letter, July 19, 2021, enclosed). However, in this most recent letter, the Department raises yet another claim of prohibition against Mr. Newton. Specifically, the Department states that Mr. Newton's record reveals a *potentially* prohibitive arrest lacking victim relationship association. You cite Title 18, United States Code sections, 921(a)(33) and 922(g)(9) referring to misdemeanor crimes of domestic violence ("MCDV") and the required nature of the victim to qualify as such an offense. The letter goes on to state that the Department was unable to "nullify" the "*potential*" prohibitor. The Department claims that information is missing which is required to make the determination of whether there is an actual prohibition. This concern raised by the Department appears to pertain to Mr. Newton's arrest in December, 1981 and the subsequent misdemeanor convictions stemming from that arrest. As described more fully herein, there is absolutely no indication in the record to create any inference or suspicion that the offenses at issue involved a victim who falls within the classification of a MCDV. It appears that the Department has engaged in rank speculation with no basis to impute to the case at issue an element of domestic violence. Moreover, the Department has improperly shifted the burden to

Newton, Ralph M.
Notice of Error – Firearm Denial – Demand for Correction
10/5/2021
Page 2

Mr. Newton to prove his eligibility to own and possess firearms despite the lack of any evidence to suggest he is prohibited.

According to the record maintained by the Department, Mr. Newton was convicted of a violation of Code of Federal Regulations title 36, section 2.7(1), fighting, a misdemeanor, in connection with an arrest which occurred on or about December 26, 1981. Title 36, section 2.7 subdivision '(1)' provided the following as the statute existed in 1981:

(a) A person commits disorderly conduct when, with intent to cause public alarm, nuisance, jeopardy or violence, or knowingly or recklessly creating a risk thereof, such person commits any of the following prohibited acts:

(1) Engages in fighting or threatening, or in violent behavior.

The language of this offense includes no reference to or indication of domestic violence or a victim who falls within the class of persons which could cause an offense to come within the definition of an MCDV pursuant to 921(a)(33) and 922(g)(9). Moreover, there is no evidence pertaining to the underlying arrest or otherwise in the record which implies or would allow one to infer that the incident involved a victim of that class.

Mr. Newton was also convicted in connection with the same transaction of facts of a misdemeanor violation of United States Code Title 18, section 113, subdivision 'd' for 'striking/ beating/wounding. The statute, which appears to have been renumbered without substantive change to the subsection at issue provides in relevant part:

(a) Whoever, within the special maritime and territorial jurisdiction of the United States, is guilty of an assault shall be punished as follows:

.

(4) Assault by striking, beating, or wounding, by a fine under this title or imprisonment for not more than 1 year, or both.

As with 36 CFR 2.7, the language of this statute includes no reference to or indication of domestic violence or a victim who falls within the class of persons which could cause an offense to come within the definition of an MCDV pursuant to 921(a)(33) and 922(g)(9). Also, there is no evidence pertaining to the underlying arrest which implies or would allow one to infer it involved a victim of that class.

Mr. Newton has sustained various state-level convictions in California. None of these convictions bear on or adversely affect his right to own and possess firearms. His California Department of Justice rap sheet is enclosed.

It is unclear why or how the Department has inferred from Mr. Newton's record that the above convictions possibly domestic violence or that the victim was of the class of persons defined by federal law which would cause the offense to be categorized as an MCDV. The

Newton, Ralph M.
Notice of Error – Firearm Denial – Demand for Correction
10/5/2021
Page 3

Department wrote that the case *potentially* involved facts and events which could bring the offense within the definition of an MCDV. That it *potentially*, without one iota of evidentiary support for that claim, could have involved domestic violence is wholly irrelevant. It is outrageous that the Department would take such a position with no basis in fact and deny Mr. Newton access to a fundamental right guaranteed by the Constitution. The Department is subject to action pursuant to Title 18, United States Code, section 925 subdivision '(a)(2)'.

* * *

The records pertaining to the convictions at issue have been destroyed. (See Letter of United States District Court, Eastern District of California, August 21, 2019) As discussed above, no information exists to suggest that the arrest and convictions Mr. Newton sustained in federal court implicate an MCDV whether in the court record or in the record maintained by the Department. However, witnesses exist, including Mr. Newton, who can provide information to the Department to further cement the assertion that the convictions at issue are wholly removed from the classification of MCDV. Mr. Newton and his nephews executed declarations under penalty of perjury recounting relevant information pertaining to the incident from 1981. (See Declaration of Ralph Newton, Michael Synder, and Silas Snyder) Their declarations describe, in essence, that the incident underlying Mr. Newton's arrest and convictions was a bar fight in Yosemite wherein Mr. Newton was involved in a physical altercation with people previously unknown to him. These declarations, combined with the complete and utter absence of any evidence to the contrary, makes clear that Mr. Newton's convictions resulting from the December, 1981 arrest were not MCDVs nor were any one of the victims of the class of persons which could potentially qualify the offenses as MCDVs.

The Department has erroneously denied Mr. Newton's right to purchase, own, and possess firearms. The Department first did so in 2019 when it erroneously concluded he had been convicted of a felony criminal offense. The Department has made yet another error, a grievous one at that, to conclude without evidence that Mr. Newton's misdemeanor convictions following his December 1981 arrest could *potentially* have involved elements of domestic violence. Worse, to shift the burden to Mr. Newton is a violation of due process, his Second Amendment right to own or possess firearms, and clear grounds for an action pursuant to Title 18, United States Code, section 925 subsection '(a)'.

There is no evidence that Mr. Newton should be denied the right to purchase, own, and possess firearms. He has never been convicted of a prohibiting offense. The record maintained by the Department reveals that he is eligible to purchase a firearm and the attached declarations drive home the point that domestic violence was not an element of the federal misdemeanors he sustained.

Please revise the Department's determination and amend the NICS database to verify that Mr. Newton is not prohibited from purchasing a firearm.

Newton, Ralph M.
Notice of Error – Firearm Denial – Demand for Correction
10/5/2021
Page 4

Thank you for your attention to this matter. Please contact me should you have any questions or concerns.

Sincerely,



Adam J. Richards

Enclosure: US DOJ – FBI – letter July 19, 2021
Declaration of Ralph Newton
Declaration of Michael Snyder
United States District Court, Eastern Dist. of California, letter, August 21, 2019
California Department of Justice Rap Sheet – Newton, Ralph



U.S. Department of Justice

Federal Bureau of Investigation

Clarksburg, WV 26306
July 19, 2021

RALPH MARK NEWTON
2464 CLOVERLAWN DRIVE
GRANTS PASS, OR 97527

RE: Firearm-Related Challenge
NTN: 1012XDBXV

Dear Mr. Newton:

The fingerprints you submitted are identical with those in a record that was used in the evaluation of your firearm purchase or pawn redemption. A copy of your FBI Identity History Summary and/or state-maintained criminal history is enclosed for your review. Based on further review and investigation, the original prohibitive information has been resolved.

Your FBI Identity History Summary currently reveals a potentially prohibitive arrest lacking victim relationship in association with Title 18, United States Code, sections 921(a)(33) and 922(g)(9): "A person who has been convicted in any court of a misdemeanor crime of domestic violence which has an element for the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian or by a person similarly situated to a spouse, parent, or guardian of the victim." Please note that the crime does not have to be called "domestic violence" or "family violence" by name; so long as the convicted person used or attempted to use physical force or threatened to use a deadly weapon against someone with whom he or she was in a qualifying relationship, the standard is met..

The FBI's Criminal Justice Information Services Division was unable to nullify the potential prohibitor. To obtain the missing information, you may contact:

California Attorney General's Office
4949 Broadway
Sacramento, CA 95820
Phone: 916-227-3394
Date of Arrest: December 26, 1981
Agency Case Number: 81-0854C

If you have, or can obtain, documentation that was available at the time of the arrest/court proceedings, please provide the court documentation containing the final disposition, level of conviction, and/or convicting statute and subsection; police report or court documentation

RALPH MARK NEWTON

containing victim information; documentation containing information that your firearm rights were restored, a pardon was received, or the case was expunged, etc. Please be advised, a "no record found" document is not sufficient documentation and should not be provided. This includes documentation that indicates the records are no longer available, or have been destroyed, due to state retention laws.

When you have obtained all of the requested documentation listed above, please submit it to our office. However, documentation must be received within 88 days of the date of this letter. Please be advised, the FBI is required to destroy delayed transactions within 88 days. Documentation received after 88 days cannot be processed.

You may submit the documentation to the FBI Criminal Justice Information Services Division, ATTN: Criminal History Analysis Team 1, BTC 3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306.

Additionally, the FBI received your Voluntary Appeal File (VAF) request. Unfortunately, your VAF application cannot be considered at this time because it has not been determined that you are eligible to possess or receive a firearm.

Should it be determined that you are eligible to possess or receive a firearm in the future, you will need to submit a **new** completed VAF application and fingerprint card to the FBI NICS Functional Support Unit (NFSU). Please refer to the FBI NICS NFSU website at www.fbi.gov/nics-appeals under the section heading "How to Apply for the VAF" to obtain the instructions and requirements for submitting a VAF application to the FBI NICS NFSU.

You may submit an electronic VAF application via the FBI NICS NFSU website under the section heading "How to Apply for the VAF" or you may submit a hard copy VAF application to the following address:

Federal Bureau of Investigation
Criminal Justice Information Services Division
NICS Section
NICS Functional Support Unit
Post Office Box 4278
Clarksburg, West Virginia 26302-4278

Your firearm background check will remain in a delay status unless you supply documentation that nullifies the potential firearm prohibitor. Please ensure all correspondence/submissions contain your National Instant Criminal Background Check System (NICS) Transaction Number (NTN).

RALPH MARK NEWTON

Failure to do so will only delay your challenge. If you cannot obtain the documentation, you may confer with an attorney of your own choosing to determine what remedies may potentially be available to you.

Biometric Services Section
Criminal Justice Information
Services Division

Enclosure

RALPH MARK NEWTON
2464 CLOVERLAWN DRIVE
GRANTS PASS, OR 97527

51337998-01148

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
CLARKSBURG, WV 26306

WVNICSA00

CIDN

ICN E2021200000000073943

TCN WVFBIJM02-20210719152424-EDO-0000-14696

THE ENCLOSED RECORD, DATED 2021/07/19, WITH THE FBI NO. 345992J1 AND
NGI CONTROL NUMBER (NCN) E2021200000000073943 IS BEING PROVIDED AS THE
RESULT OF ELECTRONIC IDENTITY HISTORY REQUEST.

THE TENPRINT BIOGRAPHICS AS SUBMITTED IN THE ORIGINAL TRANSACTION ARE:
NAME: NEWTON, RALPH MARK DOB 1952 [REDACTED]

A CRIMINAL HISTORY REQUEST NOTIFICATION(S) WAS SENT BY THE FBI
TO THE FOLLOWING ORGANIZATIONS.

CALIFORNIA - STATE ID/CA06144774
FBI - FBI/345992J1

SINCE THIS RESPONSE CONTAINS NATIONAL FINGERPRINT FILE (NFF) AND/OR III
PARTICIPANT STATE(S) REGULATED DATA, THE RESPONSE MAY NOT BE COMPLETE.
HOWEVER THE FBI MAINTAINED DATA FROM THE NON-RESPONDING III PARTICIPANT
STATE(S) IS INCLUDED IN THE RESPONSE.

WVNICSA00
NATL INSTANT CRIMINAL
BACKGROUND CHECK SYSTEM
1000 CUSTER HOLLOW RD
CLARKSBURG, WV 26306

UNITED STATES DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
 CLARKSBURG, WV 26306

WVNICA00

ICN E2021200000000073943

THE FOLLOWING FBI IDENTIFICATION RECORD FOR 345992J1 IS FURNISHED FOR
 OFFICIAL USE ONLY.

THE TENPRINT BIOGRAPHICS AS SUBMITTED IN THE ORIGINAL TRANSACTION ARE:
 NAME NEWTON, RALPH MARK DOB 1952 [REDACTED]

DESCRIPTORS ON FILE ARE AS FOLLOWS:

NAME NEWTON, RALPH MARK

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR
M	W	1952 [REDACTED]	508	150	BROWN	BROWN

BIRTH CITY	BIRTH PLACE
UNREPORTED	CALIFORNIA

HENRY CLASS

14 M 26 W	IOO 0
M 16 W	IOI 0

PATTERN CLASS

LS LS LS LS LS LS LS LS LS LS

OTHER BIRTH
 DATES

SCARS-MARKS-TATTOOS

SOCIAL
 SECURITY

MISC NUMBERS

NONE

NONE

NULL

NONE

ALIAS NAME(S)
 NEWTON, NAS
 NEWTON, R MARK
 NEWTON, RALPH

***** CRIMINAL HISTORY RECORD *****

***** Introduction *****

This rap sheet was produced in response to the following request:

State Id Number 06144774 ()
Purpose Code F
Attention E2021200000000073943;R

The information in this rap sheet is subject to the following caveats:

RESTRICTED - DO NOT USE FOR EMPLOYMENT, LICENSING, PLACEMENT OR
CERTIFICATION PURPOSES (CA; 2021-07-19)

FOR CALIFORNIA AGENCIES ONLY - HAS PREVIOUS QUALIFYING OFFENSE.
COLLECT DNA IF INCARCERATED, CONFINED, OR ON PROBATION OR PAROLE
FOLLOWING ANY MISDEMEANOR OR FELONY CONVICTION. REQUEST KITS AND INFO
AT (510) 620- 3300 OR PC296.PC296@DOJ.CA.GOV.

(CA; 2009-08-13)

***** IDENTIFICATION *****

Subject Name(s)

NEWTON, RALPH MARK
NEWTON, R MARK (AKA)
NEWTON, MARK (AKA)

Subject Description

FBI Number 345992J1
State Id Number 06144774

Social Security Number 8506
8516
Driver's License Number E0486327 ()

Sex
Male

Race
White

Height
5'09"

Weight
160

Date of Birth
1952

Hair Color
Black

Eye Color
Brown

Place of Birth
CALIFORNIA

Ethnicity
White American

Employment
Occupation

PARA-MEDC STDNT

END OF COVER SHEET

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
CLARKSBURG, WV 26306

WVNICSA00

ICN E2021200000000073943

BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

- FBI IDENTIFICATION RECORD -

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE
DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

NAME	FBI NO.	DATE REQUESTED
NEWTON, RALPH MARK	345992J1	2021/07/19

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR
M	W	1952 [REDACTED]	508	150	BRO	BRO

BIRTH PLACE
CALIFORNIA

PATTERN CLASS
LS LS LS LS LS LS LS LS LS

1-ARRESTED OR RECEIVED 1981/12/26
AGENCY-NATL PARK RANGER DIV YOSEMITE NATL PK (CADI00700)
AGENCY CASE-81547

CHARGE 1-DC-FIGHTING
CHARGE 2-ASLT BY STRIKING BEATING WOUNDING

COURT- ()
CHARGE-DC-FIGHTING
1 YR PROB PLUS \$50 F
CHARGE-ASLT BY STRIKING BEATING WOUNDING
6 DAS CUSTODY

RECORD UPDATED 2021/06/01

ALL ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON
FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.

THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL

Employer
Occupation ROOFER
Employer

***** CRIMINAL HISTORY *****

===== Cycle 001 =====

Earliest Event Date 1977-12-31

Arrest Date 1977-12-31
Arrest Case Number 77-13270
Arresting Agency CA0270000 CASOSALINAS
Subject's Name NEWTON, RALPH MARK
Comment(s) ARREST/DETAINED/CITED
Charge 1
Statute OBSTRUCTS/RESISTS PUBLIC OFFICER (148 PC)
State Offense Code 48013
Severity Misdemeanor
Disposition (ACTION PENDING)

Court Disposition (Cycle 001)
Court Case Number 56010
Final Disposition Date 1978-01-03
Court Agency CA027033J CAMCMONTEREY
Subject's Name NEWTON, RALPH MARK
Charge 1
Statute OBSTRUCTS/RESISTS PUBLIC OFFICER (148 PC)
State Offense Code 48013
Severity Unknown
Disposition (CONVICTED PLED GUILTY)
Court Comment COURT ACTION

Sentencing (Cycle 001)
Sentence FINE

===== Cycle 002 =====

Earliest Event Date 1981-12-26

Arrest Date 1981-12-26
Arrest Case Number 81-547
Arresting Agency CA0 USRANAT PK YOSMTE
Subject's Name NEWTON, RALPH MARK
Comment(s) ARREST/DETAINED/CITED
Charge 1
Statute FIGHTING ()
State Offense Code 53044
Severity Other
Charge 2
Charge Description CHRG-18 USC 113 (D) ASSLT BY
STRIKING, BEATING, & WOUNDING
Statute MISCELLANEOUS OFFENSE ()
State Offense Code 66999
Severity Misdemeanor

Court Disposition (Cycle 002)
Court Case Number 81-0854C
Final Disposition Date 1981-12-28
Court Agency CA03494JZ CACUCOURT UNKNOWN
Subject's Name NEWTON, RALPH MARK
Charge 1

Charge Description CHRG-36 CFR 2.7 (1) DISORDERLY CONDUCT-FIGHTING
MISD
Statute SEE COMMENT FOR CHARGE ()
State Offense Code 66085
Severity Misdemeanor
Disposition (CONVICTED-PROBATION)
Court Comment COURT ACTION

Sentencing (Cycle 002)
Sentence 001 YEARS PROBATION; FINE

Sentencing (Cycle 002)
Sentence 006 DAYS JAIL

==== Cycle 003 =====
Earliest Event Date 1986-12-04

Arrest Date 1986-12-04
Arrest Case Number AQS986
Arresting Agency CA001ID00 CAIDALAMEDA CO
Arresting Agency CA0010300 CAPDBERKELEY
Subject's Name NEWTON,RALPH MARK
Comment(s) ARREST/DETAINED/CITED
Charge 1

Statute VANDALISM (594(A) PC)
State Offense Code 29042
Severity Misdemeanor
Disposition (1986-12-19; PROS REJECT/OTHER)
Charge 2

Statute HIT AND RUN:PROPERTY DAMAGE (20002(A) VC)
State Offense Code 54038
Severity Misdemeanor
Disposition (1986-12-19; PROS REJECT/OTHER)

Court Disposition (Cycle 003)
Court Case Number 113218
Final Disposition Date 1987-04-24
Court Agency CA001033J CAMCBERKELEY
Subject's Name NEWTON,RALPH MARK
Charge 1

Statute VANDALISM (594(B) (2) PC)
State Offense Code 29063
Severity Unknown
Disposition (PROCEEDINGS SUSPENDED/DIVERSION)
Court Comment COURT ACTION

Court Disposition (Cycle 003)
Court Case Number 113218
Final Disposition Date 1990-06-19
Court Agency CA001033J CAMCBERKELEY
Subject's Name NEWTON,RALPH MARK
Charge 1

Statute VANDALISM (594(B) (2) PC)
State Offense Code 29063
Severity Unknown
Disposition (DIVERSION DISMISSED)
Court Comment COURT ACTION

==== Cycle 004 =====
Earliest Event Date 1986-12-06

Arrest Date 1986-12-06

Arrest Case Number 6106561AQS986
 Arresting Agency CA001ID00 CAIDALAMEDA CO
 Subject's Name NEWTON,RALPH MARK
 Comment(s) ARREST/DETAINED/CITED
 Charge 1
 Statute HIT AND RUN:PROPERTY DAMAGE (20002(A) VC)
 State Offense Code 54038
 Severity Misdemeanor
 Charge 2
 Statute HIT AND RUN:PROPERTY DAMAGE (20002(A) VC)
 State Offense Code 54038
 Severity Misdemeanor
 Disposition (1986-12-08; PROS REJECT/OTHER)

 Court Disposition (Cycle 004)
 Court Case Number 113083
 Final Disposition Date 1987-03-19
 Court Agency CA001033J CAMCBERKELEY
 Subject's Name NEWTON,RALPH MARK
 Charge 1
 Statute HIT AND RUN:PROPERTY DAMAGE (20002(A) VC)
 State Offense Code 54038
 Severity Unknown
 Disposition (DISMISSED/FOJ/PLEA TO OTHER CHARGE)
 Charge 2
 Statute NON RETAINABLE OFFENSE ()
 State Offense Code 66038
 Severity Misdemeanor
 Disposition (CONVICTED-PROBATION)
 Court Comment COURT ACTION

 Sentencing (Cycle 004)
 Sentence FINE; PROBATION

===== Cycle 005 =====
 Earliest Event Date 1988-06-22

 Arrest Date 1988-06-22
 Arrest Case Number 8144601AQS986
 Arresting Agency CA001ID00 CAIDALAMEDA CO
 Arresting Agency CA0010300 CAPDBERKELEY
 Subject's Name NEWTON,RALPH MARK
 Comment(s) ARREST/DETAINED/CITED
 Charge 1
 Statute OBSTRUCTS/RESISTS PUBLIC OFFICER (148 PC)
 State Offense Code 48013
 Severity Misdemeanor
 Disposition (1988-06-29; PROS REL-DET ONLY-INTEREST OF JUSTICE)

===== Cycle 006 =====
 Earliest Event Date 1988-09-12

 Arrest Date 1988-09-12
 Arrest Case Number 440221
 Arresting Agency CA0380100 CAPDSAN FRANCISCO
 Subject's Name NEWTON,RALPH MARK
 Comment(s) ARREST/DETAINED/CITED
 Charge 1
 Statute BATTERY PEACE OFCR/EMERG PERSONL/ETC (243(B) PC)
 State Offense Code 13081
 Severity Misdemeanor

Disposition (1988-09-12; PROS REL-DET ONLY-INTEREST OF JUSTICE)
 Charge 2
 Statute OBSTRUCTS/RESISTS PUBLIC OFFICER (148 PC)
 State Offense Code 48013
 Severity Misdemeanor
 Disposition (1988-09-12; PROS REL-DET ONLY-INTEREST OF JUSTICE)

***** NON CRIMINAL INFORMATION *****

 Fingerprint Date 1991-01-30
 Description APPLICANT
 Fingerprint Reason APPLICANT LICENSE CERT OR PERMIT
 ***** INDEX OF AGENCIES *****

Agency CAPDBERKELEY; CA0010300;

 Agency CAIDALAMEDA CO; CA001ID00;

 Agency CASOSALINAS; CA0270000;

 Agency CAPDSAN FRANCISCO; CA0380100;

 Agency USRANAT PK YOSMTE; CA0;

 Agency CACUCOURT UNKNOWN; CA03494JZ;

 Agency CAMCBERKELEY; CA001033J;

 Agency CAMCMONTEREY; CA027033J;

 Agency USRANAT PK YOSMTE; CA0;

* * * END OF RECORD * * *

1 ADAM J. RICHARDS, State Bar No. 249872
LAW OFFICE OF ADAM J. RICHARDS
2530 J Street, Suite 320
2 Sacramento, California 95816
Telephone: (916) 399-3486
3 Facsimile: (916) 823- 3307
adam@ajrlaw.net
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7 I, Ralph Mark Newton, declare:

- 8 1. I was arrested on or about December 26, 1981 in Yosemite National Park.
- 9 2. I traveled to Yosemite with my two nephews, Michael and Silas Snyder. Their mother
10 is my sister, Jan Newton. The boys were 15 and 17 at the time to the best of my
11 recollection. I transported them and no one else to Yosemite from their home in
12 Berkeley, California on or about December 26, 1981.
- 13 3. On or about the night of December 26, 1981, I left my nephews at a rented cabin in the
14 Valley and traveled to the Yosemite Lodge bar to consume alcohol. While at the bar at
15 the Yosemite Lodge, I became involved in a physical altercation with two men who
16 were previously unknown to me. I was not the current or former spouse, parent, or
17 guardian of the victims, I did not share a child in common with them, I did not
18 cohabitate or previously cohabitate with them as a spouse, parent, or guardian, nor was
19 I similarly situated to them as a spouse, parent, or guardian nor did anyone else in the
20 bar that night fit those criteria.
- 21 4. I was subsequently arrested that night by park officers in connection with the physical
22 altercation.
- 23 5. My sister traveled to Yosemite to retrieve her children that night due to my
24 incarceration.
25

- 1 6. I was later charged in federal court with various offenses pertaining to the fight. I
2 sustained misdemeanor convictions in connection with the case in federal court. The
3 misdemeanor convictions I sustained appear to be accurately recorded in the record
4 maintained by the United States Department of Justice to the best of my recollection.
5 7. I have never been convicted of a felony offense.
6 8. I have never been convicted of an offense involving any element of domestic violence.

7
8 I declare under penalty of perjury that the foregoing is true and correct, except as to
9 matters stated upon information and belief, and as to those matters, I believe them to be true.

10 Executed this 25th day of September 2021, at Grants Pass, Oregon.

11
12 
13 Mark Ralph Newton
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25

ADAM J. RICHARDS, State Bar No. 249872
LAW OFFICE OF ADAM J. RICHARDS
2530 J Street, Suite 320
Sacramento, California 95816
Telephone: (916) 399-3486
Facsimile: (916) 823- 3307
adam@ajrlaw.net

I, Michael Snyder, declare:

1. Ralph Mark Newton is my uncle. He is my mother's brother as a full blood relative.
2. On or about December 26, 1981 traveled to Yosemite National Park with my brother Silas Snyder and my uncle Ralph Mark Newton. My uncle drove us to Yosemite to spend a couple of nights in Yosemite Valley. No one else traveled with us.
3. On the first night we arrived, my Uncle Ralph left my brother and me in the cabin we had rented. My uncle told us he was going to the bar at the lodge to have a drink.
4. My brother and I went to sleep but were later awoken by law enforcement officers who informed us that our uncle had been arrested for being involved in a bar fight.
5. My brother and I contacted our mother, Jan Newton, who drove to the Valley from our home in Berkeley, California to pick us up.

I declare under penalty of perjury that the foregoing is true and correct, except as to matters stated upon information and belief, and as to those matters, I believe them to be true.

Executed this 27th day of September 2021, at Glendale, OR.
(city) (state)


Michael Snyder



Chambers of
JEREMY D. PETERSON
United States Magistrate Judge

United States District Court

Eastern District of California
9004 Castle Cliff Court • P.O. Box 575
Yosemite National Park, CA 95389
(209) 372-0438

Ralph Newton
2464 Clover Lawn Dr.
Grants Pass, OR 97527

August 21, 2019, 2019

Dear Mr Newton,

This letter is written in response to your inquiry searching for court records in your name from more than 20 years ago. I am writing to confirm that the Yosemite Court does not have any records on file. Additionally, it is likely that your case may have been a misdemeanor or a petty offense as the Yosemite court does not handle felonies. Additionally, the records for all cases handled in Yosemite are destroyed after five years as I shared with you over the phone.

I hope this letter fulfills your requirements. If you have additional questions, don't hesitate to reach out.

Sincerely,

A handwritten signature in black ink, reading "KDKari", is positioned below the "Sincerely," text.

Kirstie Dunbar-Kari
Courtroom Deputy to
Honorable Magistrate Judge Jeremy D. Peterson
(209) 372-8917
kirstiekari@gmail.com

United States District Court



Eastern District of California

Office of the Clerk

2500 Tulare Street, Room 1501

Fresno, California 93721

Phone: (559) 499-5600 • Facsimile: (559) 499-5992

Marianne Matherly, Clerk

August 23, 2019

TO WHOM IT MAY CONCERN:

A search of our records was made for the name Ralph Mark Newton.

X No information was found regarding the above-named individual.

 The above-named individual is listed as a party in the following case:

Please note, Court records do not include any personal data on individuals such as date of birth, social security number, etc.; therefore, we cannot guarantee that the above-named is indeed the party you are inquiring about.

Marianne Matherly,
CLERK OF COURT

By: _____

S. Sant Agata, Deputy Clerk

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



Bureau of Criminal Information and Analysis
Record Review and Challenge Section
P. O. Box 160207
Sacramento, CA 95816-0207

August 18, 2020

Ralph Mark Newton
2464 Clover Lawn Drive
Grants Pass, OR 97527

RE: Criminal History Record
CII # A06144774

Dear Mr. Newton:

This correspondence is in response to your claim of alleged inaccuracy or incompleteness in your California state summary criminal history record as maintained by the California Department of Justice (DOJ) received on March 19, 2020.

Regarding your request to amend the arrest entry dated December 26, 1981, based on information received from the contributing agency, your record has been amended. A current copy of your California state summary criminal history record is enclosed.

If you have questions concerning firearms eligibility, etc., please contact the California Department of Justice, Bureau of Firearms, at (916) 227-7527 or at Firearms.Bureau@doj.ca.gov.

If you have any further questions concerning this matter, please direct your correspondence to the Record Review and Challenge Section at the address provided above.

Sincerely,

A handwritten signature in cursive script, appearing to read "Annette Ah PO".

ANNETTE AH PO, Manager II
Record Quality Services Program
Bureau of Criminal Information and Analysis

For XAVIER BECERRA
Attorney General

4CMTDP232731.IH

RE: QHY.CA0349400.06144774.APPUSR.

DATE:20200818 TIME:09:38:17

RESTRICTED-DO NOT USE FOR EMPLOYMENT,LICENSING OR CERTIFICATION PURPOSES
ATTN:APPUSR

 FOR CALIFORNIA AGENCIES ONLY - HAS PREVIOUS QUALIFYING OFFENSE. COLLECT
 DNA IF INCARCERATED, CONFINED, OR ON PROBATION OR PAROLE FOLLOWING ANY
 MISDEMEANOR OR FELONY CONVICTION. REQUEST KITS AND INFO AT (510) 620-
 3300 OR PC296.PC296@DOJ.CA.GOV.

** III MULTIPLE SOURCE RECORD

CII/A06144774

DOB/1952 [REDACTED] SEX/M RAC/WHITE

HGT/509 WGT/160 EYE/BRO HAI/BLK POB/CA

NAM/001 NEWTON,RALPH MARK

002 NEWTON,R MARK

003 NEWTON,MARK

AMENDED

FBI/345992J1

DMV/E0486327

SOC/[REDACTED]8516 [REDACTED]8506

OCC/PARA-MEDC STDNT; ROOFER

* * * *

ARR/DET/CITE: NAM:001

19771231 CASO SALINAS

CNT:001 #77-13270

148 PC-OBSTRUCTS/RESISTS PUBLIC OFFICER

TOC:M

DISPO:ACTION PENDING

148 PC-OBSTRUCTS/RESISTS PUBLIC OFFICER

- - - -

COURT: NAM:001

19780103 CAMC MONTEREY

CNT:001 #56010

148 PC-OBSTRUCTS/RESISTS PUBLIC OFFICER

TOC:M

*DISPO:CONVICTED

SEN: FINE

* * * *

ARR/DET/CITE: NAM:001

19811226 USRA NAT PK YOSMTE

CNT:001 #81-547

FIGHTING

TOC:N

CNT:002

MISCELLANEOUS OFFENSE

TOC:M

SEN: 006 DAYS JAIL

COM: CHR-18 USC 113 (D) ASSLT BY STRIKING, BEATING, &
WOUNDING

- - - -

COURT: NAM:001

19811228 CACU COURT UNKNOWN

CNT:001 #81-0854C

SEE COMMENT FOR CHARGE

TOC:N

*DISPO:CONVICTED

CONV STATUS:MISDEMEANOR

SEN: 001 YEARS PROBATION, FINE

COM: CHR-36 CFR 2.7 (1) DISORDERLY CONDUCT-FIGHTING MISD

* * * *

ARR/DET/CITE: NAM:001
19861204 CAID ALAMEDA CO

CNT:001 #AQS986
594(A) PC-VANDALISM TOC:M
19861219
DISPO:PROS REJECT/OTHER
ARR BY:CAPD BERKELEY

CNT:002
20002(A) VC-HIT AND RUN:PROPERTY DAMAGE TOC:M
19861219
DISPO:PROS REJECT/OTHER
- - - -

COURT: NAM:001
19870424 CAMC BERKELEY

CNT:001 #113218
594(B)(2) PC-VANDALISM TOC:M
DISPO:PROCEEDINGS SUSPENDED/DIVERSION
- - - -

COURT: NAM:001
19900619 CAMC BERKELEY

CNT:001 #113218
594(B)(2) PC-VANDALISM TOC:M
DISPO:DIVERSION DISMISSED
* * * *

ARR/DET/CITE: NAM:001
19861206 CAID ALAMEDA CO

CNT:001 #6106561AQS986
20002(A) VC-HIT AND RUN:PROPERTY DAMAGE TOC:M

CNT:002
20002(A) VC-HIT AND RUN:PROPERTY DAMAGE TOC:M
19861208
DISPO:PROS REJECT/OTHER
- - - -

COURT: NAM:001
19870319 CAMC BERKELEY

CNT:001 #113083
20002(A) VC-HIT AND RUN:PROPERTY DAMAGE TOC:M
DISPO:DISMISSED/FOJ/PLEA TO OTHER CHARGE

CNT:002
NON RETAINABLE OFFENSE TOC:M
*DISPO:CONVICTED
CONV STATUS:MISDEMEANOR
SEN: PROBATION, FINE
* * * *

ARR/DET/CITE: NAM:001
19880622 CAID ALAMEDA CO

CNT:001 #8144601AQS986
148 PC-OBSTRUCTS/RESISTS PUBLIC OFFICER TOC:M
19880629
DISPO:PROS REL-DET ONLY-INTEREST OF JUSTICE
ARR BY:CAPD BERKELEY
* * * *

ARR/DET/CITE: NAM:001
19880912 CAPD SAN FRANCISCO

CNT:001 #440221
243(B) PC-BATTERY PEACE OFCR/EMERG PERSNL/ETC TOC:M
19880912
DISPO:PROS REL-DET ONLY-INTEREST OF JUSTICE

CNT:002
148 PC-OBSTRUCTS/RESISTS PUBLIC OFFICER TOC:M
19880912
DISPO:PROS REL-DET ONLY-INTEREST OF JUSTICE
* * * *

APPLICANT: NAM:001
19910130 CASD MOTOR VEHICLES, SACRAMENTO

CNT:001 #E0486327AMB
APPLICANT LICENSE CERT OR PERMIT TOC:N
* * * * *
END OF MESSAGE